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REMARKS

Claims 1-3, 5-9, and 11-20 are pending in the application. Independent claims 1 and 7 have been amended to recite that the plural types of sending modes respectively relate to different transmission protocols. New claims 18-20 have been added, where claims 18 and 19 each recite that the plural types of sending modes include at least one of a facsimile mode, a scan to email mode, and a scan to FTP mode. Claim 20 recites that the plural image sending routes include at least one of a telephone line, the Internet, an intranet, an extranet, CON, COM, LAN, ISDN, VAN, CATV, VPN, a telephone line network, a mobile network, and a satellite network. The amendments and additions are fully supported by the application as originally filed (see, e.g., specification at page 11, second paragraph and page 22, second paragraph).

As amended, independent claims 1 and 7 recite an image sending method and an image sending device, respectively, in which a sending mode is selected from plural types of sending modes, where the plural types of sending modes respectively relate to different transmission protocols (e.g., fax, email, or FTP). For example, the plural types of sending modes include a fax mode, a scan to email mode, and a scan to FTP mode (see specification at page 11, second paragraph; *see also* new claims 18 and 19).

Independent claim 13 recites an image sending device including "a sending route setting section for selecting and setting a sending route from plural image sending routes." For example, the plural image sending routes include at least one of a telephone line, the Internet, an intranet, an extranet, CON, COM, LAN, ISDN, VAN, CATV, VPN, a telephone line network, a mobile network, and a satellite network (see specification at page 22, second paragraph; *see also* new claim 20).

Claims 1-3, 5, 7-9, 11, and 13-16 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 6,437,881 to Baba et al. ("Baba") in view of U.S. Patent 6,195,428 to Maruyama. Claims 6 and 12 were rejected under 35 USC §103(a) as being unpatentable over Baba in view of Maruyama, and further in view of U.S. Patent 6,590,673 to Kadowaki. These rejections are respectfully traversed.

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The proposed combination of Baba in view of Maruyama does not teach or suggest an image sending method or an image sending device in which a sending mode is selected from plural types of sending modes, where the plural types of sending modes respectively relate to different transmission protocols, as recited in independent claims 1 and 7.

In Baba, an image quality can be selected from a standard mode, a high-quality mode, and a super high-quality mode (see column 6, lines 11-14). A corresponding transmission speed is determined based on the selected image quality, where the transmission speed and image quality "are not usually independently instructed" (see column 6, lines 15-25).

As admitted on page 3 of the Office Action of 11/14/2006, the Baba reference does not teach or suggest an image sending device or method in which "the sending mode for sending image data is selected and set from the plural types of sending modes based on sending destination information which is inputted or selected by a user."

The Maruyama reference was cited allegedly to remedy the deficiencies of Baba.

Maruyama is directed to a facsimile apparatus which allows registration of telephone numbers for speed dialing and one-touch dialing. As indicated in column 3, lines 36-46 of Maruyama (as cited in the Office Action), for both speed dialing and one-touch dialing, "not only the destination telephone number but also the name of the destination, transmission speed of a modem and so on are registered." Referring to column 5, lines 22-33 and column 6, lines 29-44 of Maruyama, various examples are provided, in which the registered information includes: (1) name of destination, (2) telephone number of the destination, and (3) communication speed of the modem.

However, Maruyama does not teach or suggest selecting and setting a sending mode from plural types of sending modes, where the plural types of sending modes respectively relate to different transmission protocols, as recited in independent claims 1 and 7.

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In Maruyama, the name and telephone number of a destination are simply attributes of the destination, and thus do not relate to different transmission protocols as claimed. Moreover, the communication speed of a modem relates to image quality and/or resolution, and thus does not correspond to the claimed "sending mode."

As claimed, "sending mode" refers to different transmission protocols, such as a fax mode, a scan to email mode, or a scan to FTP mode (see independent claims 1 and 7; and specification at page 11, second paragraph).

However, according to Maruyama, **a facsimile mode is always selected as the sending mode**, and thus it is not possible to select and set the sending mode from plural types of sending modes, where the plural types of sending modes respectively relate to different transmission protocols.

Regarding independent claim 13, the proposed combination of Baba in view of Maruyama does not teach or suggest an image sending device in which a sending route is selected from plural image sending routes.

On page 8 of the Office Action of 11/14/2006, column 6, lines 14-19 of Baba were cited as allegedly corresponding to "selecting and setting a sending route from plural image sending routes."

However, there is no teaching or suggestion in Baba that high-speed transmission or low-speed transmission are by different routes. Instead, the speed of transmission is clearly linked to image quality (see column 6, lines 20-29 of Baba). In Baba, there is merely a single route over which data may be sent at different speeds.

If the rejection is to be maintained, the Examiner is respectfully requested to present evidence that "sending speed" is somehow equivalent to "sending route."

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Moreover, as explained above, in Maruyama, a facsimile mode is always selected as the sending mode. There is no teaching or suggestion in Maruyama of a sending route that is selected and set from plural image sending routes.

Therefore, even if Maruyama was somehow combined with Baba, the proposed combination would not teach or suggest an image sending device in which a sending route is selected from plural image sending routes.

For at least the reasons discussed above, the proposed combination of Baba in view of Maruyama does not teach or suggest an image sending method or an image sending device as recited in independent claims 1, 7, and 13.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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